

Adopted	Rejected
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COMMITTEE REPORT

YES:	24
NO:	0

MR. SPEAKER:

*Your Committee on Ways and Means, to which was referred House Bill 1296, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Delete everything after the enacting clause and insert the following:
- 2 SECTION 1. IC 6-1.1-18-12, AS ADDED BY P.L.1-2004,
- 3 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 4 DECEMBER 12, 2003 (RETROACTIVE)]: Sec. 12. (a) For purposes
- 5 of this section, "maximum rate" refers to the maximum:
- 6 (1) property tax rate or rates; or
- 7 (2) special benefits tax rate or rates;
- 8 referred to in the statutes listed in subsection (d).
- 9 (b) The maximum rate for taxes first due and payable after 2003 is
- 10 the maximum rate that would have been determined under subsection
- 11 (e) for taxes first due and payable in 2003 if subsection (e) had applied
- 12 for taxes first due and payable in 2003.
- 13 (c) The maximum rate must be adjusted:
- 14 (1) each time an annual adjustment of the assessed value of real

property takes effect under IC 6-1.1-4-4.5; and
 (2) each time a general reassessment of real property takes effect
 under IC 6-1.1-4-4.

(d) The statutes to which subsection (a) refers are:

- (1) IC 8-10-5-17;
- (2) IC 8-22-3-11;
- (3) IC 8-22-3-25;
- (4) IC 12-29-1-1, **as it applies to community mental retardation and other developmental disabilities center only;**
- (5) IC 12-29-1-2, **as it applies to community mental retardation and other developmental disabilities center only;**
- (6) IC 12-29-1-3, **as it applies to community mental retardation and other developmental disabilities center only;**
- ~~(7) IC 12-29-2-13;~~
- ~~(8)~~ (7) IC 12-29-3-6;
- ~~(9)~~ (8) IC 13-21-3-12;
- ~~(10)~~ (9) IC 13-21-3-15;
- ~~(11)~~ (10) IC 14-27-6-30;
- ~~(12)~~ (11) IC 14-33-7-3;
- ~~(13)~~ (12) IC 14-33-21-5;
- ~~(14)~~ (13) IC 15-1-6-2;
- ~~(15)~~ (14) IC 15-1-8-1;
- ~~(16)~~ (15) IC 15-1-8-2;
- ~~(17)~~ (16) IC 16-20-2-18;
- ~~(18)~~ (17) IC 16-20-4-27;
- ~~(19)~~ (18) IC 16-20-7-2;
- ~~(20)~~ (19) IC 16-23-1-29;
- ~~(21)~~ (20) IC 16-23-3-6;
- ~~(22)~~ (21) IC 16-23-4-2;
- ~~(23)~~ (22) IC 16-23-5-6;
- ~~(24)~~ (23) IC 16-23-7-2;
- ~~(25)~~ (24) IC 16-23-8-2;
- ~~(26)~~ (25) IC 16-23-9-2;
- ~~(27)~~ (26) IC 16-41-15-5;
- ~~(28)~~ (27) IC 16-41-33-4;
- ~~(29)~~ (28) IC 20-5-17.5-2;

- 1 ~~(30)~~ **(29)** IC 20-5-17.5-3;
- 2 ~~(31)~~ **(30)** IC 20-5-37-4;
- 3 ~~(32)~~ **(31)** IC 20-14-7-5.1;
- 4 ~~(33)~~ **(32)** IC 20-14-7-6;
- 5 ~~(34)~~ **(33)** IC 20-14-13-12;
- 6 ~~(35)~~ **(34)** IC 21-1-11-3;
- 7 ~~(36)~~ **(35)** IC 21-2-17-2;
- 8 ~~(37)~~ **(36)** IC 23-13-17-1;
- 9 ~~(38)~~ **(37)** IC 23-14-66-2;
- 10 ~~(39)~~ **(38)** IC 23-14-67-3;
- 11 ~~(40)~~ **(39)** IC 36-7-13-4;
- 12 ~~(41)~~ **(40)** IC 36-7-14-28;
- 13 ~~(42)~~ **(41)** IC 36-7-15.1-16;
- 14 ~~(43)~~ **(42)** IC 36-8-19-8.5;
- 15 ~~(44)~~ **(43)** IC 36-9-6.1-2;
- 16 ~~(45)~~ **(44)** IC 36-9-17.5-4;
- 17 ~~(46)~~ **(45)** IC 36-9-27-73;
- 18 ~~(47)~~ **(46)** IC 36-9-29-31;
- 19 ~~(48)~~ **(47)** IC 36-9-29.1-15;
- 20 ~~(49)~~ **(48)** IC 36-10-6-2;
- 21 ~~(50)~~ **(49)** IC 36-10-7-7;
- 22 ~~(51)~~ **(50)** IC 36-10-7-8;
- 23 ~~(52)~~ **(51)** IC 36-10-7.5-19; and
- 24 ~~(53)~~ **(52)** any statute enacted after December 31, 2003, that:
- 25 (A) establishes a maximum rate for any part of the:
- 26 (i) property taxes; or
- 27 (ii) special benefits taxes;
- 28 imposed by a political subdivision; and
- 29 (B) does not exempt the maximum rate from the adjustment
- 30 under this section.
- 31 (e) The new maximum rate under a statute listed in subsection (d)
- 32 is the tax rate determined under STEP SEVEN of the following STEPS:
- 33 STEP ONE: Determine the maximum rate for the political
- 34 subdivision levying a property tax or special benefits tax under the
- 35 statute for the year preceding the year in which the annual
- 36 adjustment or general reassessment takes effect.

STEP TWO: Determine the actual percentage increase (rounded to the nearest one-hundredth percent (0.01%)) in the assessed value (before the adjustment, if any, under IC 6-1.1-4-4.5) of the taxable property from the year preceding the year the annual adjustment or general reassessment takes effect to the year that the annual adjustment or general reassessment takes effect.

STEP THREE: Determine the three (3) calendar years that immediately precede the ensuing calendar year and in which a statewide general reassessment of real property does not first take effect.

STEP FOUR: Compute separately, for each of the calendar years determined in STEP THREE, the actual percentage increase (rounded to the nearest one-hundredth percent (0.01%)) in the assessed value (before the adjustment, if any, under IC 6-1.1-4-4.5) of the taxable property from the preceding year.

STEP FIVE: Divide the sum of the three (3) quotients computed in STEP FOUR by three (3).

STEP SIX: Determine the greater of the following:

(A) Zero (0).

(B) The result of the STEP TWO percentage minus the STEP FIVE percentage.

STEP SEVEN: Determine the quotient of the STEP ONE tax rate divided by the sum of one (1) plus the STEP SIX percentage increase.

(f) The department of local government finance shall compute the maximum rate allowed under subsection (e) and provide the rate to each political subdivision with authority to levy a tax under a statute listed in subsection (d).

SECTION 2. [EFFECTIVE UPON PASSAGE] For property taxes first due and payable in 2004, the department of local government finance shall make the changes under IC 6-1.1-17-16 that are needed to account for the changes in tax rates that result from IC 6-1.1-18-12, as amended by this act. The requirements of IC 6-1.1-17-16(c), IC 6-1.1-17-16(d), and IC 6-1.1-17-16(h) do not apply to an action under this SECTION. The department of local

1 **government finance shall certify the results of the changes made**
2 **under this SECTION in the manner provided in IC 6-1.1-17-16(f).**

3 **SECTION 3. An emergency is declared for this act.**

(Reference is to HB 1296 as introduced.)

and when so amended that said bill do pass.

Representative Crawford